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ABSTRACT

Designed for classroom teaching, this document contains articles on the new constitutions of Japan, South Korea, and the Philippine Islands which were modeled in part on the U.S. Constitution. These countries' experiences with constitutional government are examined, and whether or not the U.S. Constitution can be a suitable model for other countries with different cultures, histories, and political traditions is explored. After World War II ended, the United States had a series of decisions to make regarding a new Japanese government. General Douglas MacArthur asked the Japanese to write a new constitution and when it was not forthcoming, had a team of military officers on his staff trained in law and government prepare it. The result was the establishment of a successful democracy in Japan. South Korea has a constitutional government modeled on western democratic values but has not had peaceful and democratic elections since its adoption in 1948. Between 1972 and 1982 the Philippines was under martial law and only recently has adopted a new constitution. A proposed classroom activity follows each of the articles with suggestions for discussion, writing, group activities, and presentations. Articles and activities are designed to introduce students to U.S. relations with the three nations in a modern historical context. (NL)

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BILL OF RIGHTS IN ACTION

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The Constitution In Other Lands / U.S. History

Bringing Democracy to Japan

To the Pacific basin has come the vista of a new emancipated world. Today, freedom is on the offensive, democracy is on the march.

—Gen. Douglas MacArthur
September 2, 1945

Preliminary Activity

This preliminary activity is designed to be done in class after the students have finished their study of World War II up to V-J Day but *before* they read the article in this section. The questions listed below had to be answered by the United States after the surrender of Japan on August 14, 1945. Meeting in small groups, students should discuss and write down at least one reason for their own answers to both these questions.

1. **Once Japan is occupied, should the Japanese government be totally abolished and replaced by the direct rule of American military authorities?**
   In Germany the Nazi government had disintegrated as Allied troops closed in on Berlin. Following Germany's defeat, the Allies set up their own military governments to rule in their respective zones of occupation. In Japan, however, the emperor, national legislature (called the Diet), ruling cabinet and the entire government bureaucracy all remained in place at the time of the surrender.
2. **Should the U.S. insist that Japan change its constitution in order to establish a democracy?**
   Japan had a written constitution, a "gift" of the Emperor Meiji in 1889. In many respects its wording made it similar to our own Constitution. However, the Japanese Constitution made the emperor, not the people, the sole source of political authority. Thus, the Meiji Constitution was a blend of western political thought and Japanese traditions that had developed over the centuries.

Japanese woman in 1947 voting at the polls for the first time. (UPI/Bettmann Newsphotos.)

The Occupation

In July 1945, shortly after Germany had surrendered, the Allied leaders met at Potsdam near Berlin to discuss postwar policies. Among these was the decision to occupy the Japanese homeland once victory had been achieved in the Pacific. The Allies also agreed that the occupation should bring about the complete disarmament of Japanese forces and the trial of Japanese war criminals. The Potsdam Agreement further called for democratic reforms in Japan's government. Finally, the Allies declared that the occupation would end only when all these conditions had been achieved and "a peacefully inclined and responsible government" had been established in Japan.

Immediately after the Japanese announced their decision to surrender, Gen. Douglas MacArthur was appointed the Supreme Commander for the Allied Powers to oversee the occupation of Japan. Although he was technically under the authority of an Allied Powers commission, MacArthur took his orders from Washington. Rather than establish an American military government to rule Japan during the occupation, MacArthur decided to employ the existing Japanese government. To do so, he would issue various direct orders to Japanese government

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Bicentennial Editions

For 200 years, the United States Constitution has guided our country through war and peace, crisis and calm. It has also served a model for constitution makers in other lands.

This edition of *Bill of Rights in Action* examines constitutional experiences of three such countries in the Pacific Rim: Japan, South Korea and the Philippines. How do their experiences compare to ours? Is our Constitution a good model for cultures with different historical, cultural and political traditions? What factors make a western-style constitutional form of government succeed or fail?

As before, each article and activity is designed to be incorporated into what you already teach: U.S. History, U.S. Government, World History, Economics and International Studies.

Send us your name and mailing address and four times a year you will receive *Bill of Rights in Action* (BRIA) absolutely free (see page 7).

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officials but allow them to manage the country as long as they followed the occupation goals developed in Potsdam and Washington.

MacArthur realized that imposing a new order on the island nation would be a difficult task even with Japanese cooperation. It would be impossible, MacArthur believed, for foreigners to dictate radical changes to 80 million resentful people.

Having decided to keep the Japanese national legislature (the Diet), the cabinet and the bureaucracy in place, MacArthur next faced the question of Emperor Hirohito. The Russians and British wanted Hirohito tried and hanged as a war criminal. MacArthur advised Washington against needlessly angering the Japanese by destroying the sacred symbol of their emperor. MacArthur later wrote in his autobiography: "...I would need at least one million reinforcements should such an action be taken...Military government would have to be instituted throughout all Japan, and guerilla warfare would probably break out."

At his first meeting with MacArthur, Hirohito assumed full responsibility for the wartime actions of Japan knowing that this admission could mean his execution. Eventually the U.S. and other Allied powers agreed with MacArthur not to treat Hirohito as a war criminal, but one condition was mandated.

On New Year's Day 1946, four months after the occupation had begun, Emperor Hirohito renounced the belief that he was a divine or godlike being:

> The ties between us and our people have always stood upon mutual trust and affection. They do not depend upon mere legends and myths. They are not predicated on the false conception that the Emperor is divine and that the Japanese people are superior to other races and fated to rule the world.

These words, while shocking to most Japanese, smoothed the way for the more than six years of occupation that were to come.

Certain aspects of the U.S. occupation policy carried out by MacArthur were very harsh. Wartime Prime Minister Tojo and six other leaders were tried and hanged for war crimes. The policies dismantled and abolished the Japanese military establishment and banned 200,000 military and civilian leaders from holding any public office, including the majority of existing Diet members. The large industrial monopolies that had fueled the war effort were broken up. Even government support for the official Japanese religion, Shinto, was eliminated.

At the same time, MacArthur promoted the development of democracy in Japan. He suspended Japanese laws restricting political, civil and religious liberties. He ordered the release of political prisoners and abolished the secret police. He announced a general election to be held in April 1946, only seven months following the surrender. He also called for the Japanese Diet to pass a new election law to provide for free democratic elections, including, for the first time in the history of Japan, the right of women to vote. In addition, under MacArthur's direction, the growth of labor unions was encouraged, large landholdings were broken up and the education system was reformed.

Surprisingly, all of these developments were accepted and in some cases even welcomed by the Japanese. Of course, Japan was under the control of armed U.S. troops. Still, the ordinary Japanese seeing death and destruction all around seemed to conclude that the old way of doing things had failed. War and a humiliating defeat had made Japan ripe for revolutionary change.

A New Constitution

The Meiji Constitution of 1889 concentrated actual political power in the hands of a small group of government leaders responsible to the emperor, not the people. From 1930 to the end of the war this governing group was dominated by the military.

Before 1945, democracy as we know it had little chance to develop in Japan. No free elections or real political parties existed. Women were denied equal rights. From an American viewpoint, although the Meiji Constitution listed a number of individual liberties, few were meaningful. For example, even though free speech was protected by the constitution, the government prohibited what it considered "dangerous thoughts."

Early in the occupation MacArthur saw the need to drastically change the Meiji Constitution. In his autobiography, MacArthur argued:

> We could not simply encourage the growth of democracy. We had to make sure that it grew. Under the old constitution, government flowed downward from the emperor, who held the supreme authority, to those to whom he had delegated power. It was a dictatorship to begin with, a hereditary one, and the people existed to serve it.

MacArthur communicated his views to the leaders of the Japanese government who formed a committee to rewrite the Meiji Constitution. After four months' work, by February 1, 1947, the committee had produced a revision with only minor word changes. For instance, in the rewrite the emperor became "supreme" rather than "sacred" as in the old constitution.

MacArthur refused to accept the Japanese revision. He gave his own people the task of writing a "model constitution" which would then be used by the Japanese in preparing another revision, which he wanted completed before the Japanese general election scheduled just two months away. He saw the election as a test of whether the Japanese people would accept democratic changes in their political system.

The job of writing MacArthur's "model constitution" fell to the Government Section of his General Headquarters. A team, of about a dozen Army and Navy officers (all with special training in government) plus a few civilian experts met secretly to discuss, debate and write their model for a new Japanese constitution. The team members used a 1939 edition of a book on world constitutions as their main reference. Most of the final wording was drafted by three Army officers, all lawyers. This "constitutional convention" lasted a total of six days.

The resulting constitution borrowed from the British system in establishing a cabinet and prime minister who were responsible to the elected Diet. The guarantees of individual rights included wording similar to that found in the American Bill of Rights. One part, guaranteeing equal rights, even went beyond the legal protections Americans enjoyed at that time. Other provisions sounded not only American but positively New Dealish. For example, workers received the right "to organize and to bargain and act collectively...."

Perhaps the most unique part of the "model constitution" was the "no-war clause." According to Article 9: "...The Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes." Article 9 went on to abolish all land, sea and air military forces. This article was included as the result of a suggestion made by Prime Minister Shidehara to MacArthur. Shidehara believed that this provision would show the rest of the world that Japan never again intended to wage aggressive war.

To the Japanese people, however, the most radical change from the Meiji Constitution was the removal of the emperor as the source of all government authority. In the "model constitution" the people, acting through the elected Diet, were supreme. MacArthur decided to preserve the position of emperor, but merely as "the symbol of the State and of the unity of the people."

The Japanese government leaders were shocked by the radical changes proposed in the "model constitution." In particular, they found it hard to accept the idea of "rule by the people" which conflicted with the Japanese tradition of absolute obedience to the emperor. After disagreeing among themselves, the Japanese cabinet went to the emperor. On February 22, Hirohito ended the deadlock by commanding that the "model" become the basis for the new constitution of Japan. "Upon these principles," Emperor Hirohito said, "will truly rest the welfare of our people and the rebuilding of Japan."

On March 6, the Japanese cabinet accepted the new constitution. This was followed by statements of approval by Emperor Hirohito and Gen. MacArthur who later called the document "the most liberal constitution in history."

The constitution was widely publicized and enthusiastically discussed by the Japanese people, especially during the days leading up to the April general election. When the Diet

met during the summer of 1946, the newly elected legislators debated and then voted final approval. Japan's new democratic constitution went into effect on May 3, 1947.

Has Japan's democratic constitution been a success? MacArthur himself called it "probably the single most important accomplishment of the occupation." Others have since criticized MacArthur for unnecessarily forcing the Japanese to renounce their political traditions and accept democracy too rapidly.

In 1952, the American occupation of Japan ended. The Japanese were again an independent people free to run their country as they wished. Since then, the Japanese have changed or done away with a number of the reforms instituted by MacArthur. One reform remains firmly in place: the "MacArthur Constitution." For 40 years it has never been revised or amended. In the words of Japanese scholar Sodei Rinjiro: "Clearly the constitution has sunk its roots among the people."

Follow-Up Activity

1. Students should meet in the same groups they did earlier for the "Preliminary Activity."
2. Each group should again answer the two questions from the "Preliminary Activity" but this time according to how the United States and particularly MacArthur decided them. Students should locate from the article and write down at least one reason for each of these decisions.
3. The groups should next compare the answers they wrote in the "Preliminary Activity" with the actual decisions they have found in the article.
4. Finally, the class as a whole should discuss the following questions:
   a. What differences did you find between your own answers to the questions in the "Preliminary Activity" and the actual decisions made by the U.S. and MacArthur? Did you change your mind on any of these questions?
   b. What factors helped MacArthur impose a western-style government on Japan? What factors hindered this process?
   c. Why do you think the Japanese accepted the "MacArthur Constitution" in 1946? Why do you think they still accept it today?
   d. Do you think that the experience in occupied Japan proves that the U.S. Constitution can be transplanted to any other land? Why or why not?

For Further Reading

Kawai, Kazuo. *Japan's American Interlude*. Chicago: University of Chicago Press, 1960.

MacArthur, Douglas. *Reminiscences*. New York: McGraw-Hill Book Co., 1964.

South Korea: A Constitution But No Democracy

> On democratic constitution's tomb
> Dictatorship has been established.
> —Kim Chi Ha, South Korean poet

Following three years of military rule by the United States after World War II, South Korea became an independent nation on August 15, 1948. On that day Gen. Douglas MacArthur declared that the new Republic of Korea represented "liberty reborn" and predicted that nothing would prevent the South Korean people from being "free men of a free nation." Unhappily, during their nearly 40 years of independence, South Koreans have still not enjoyed true democracy. In particular, since the nation was founded, there has never been a peaceful and democratic change of government in South Korea.

The constitution of South Korea was adopted with relatively little debate in July 1948. Led by South Korean patriot Syngman Rhee, its writers had borrowed many elements from the American Constitution. Separation of powers, checks and balances and guarantees of individual rights were all present in the Korean Constitution.

Some parts of the South Korean Constitution differed considerably from that of the United States. Though the office of president was to be filled for a four-year term, the holder was chosen by a one-house national legislature called the National Assembly. Reflecting the ancient Korean tradition of rule by a strong man, the constitutional executive powers went far beyond those granted to American presidents. For example, the South Korean president could declare a "state of siege" during times of national crisis and issue decrees which would have the force of law. Furthermore, individual rights such as freedom of speech were to be allowed "except as specified by law." In the words of Richard C. Allen, a biographer of Syngman Rhee, the South Korea Constitution "was a document which lent itself to manipulation."

A few days after the South Korean Constitution was adopted, Syngman Rhee was elected president by the National Assembly. President Rhee soon began to use his considerable powers to silence his political opponents. Members of the opposition political party in the National Assembly were arrested. Rhee's government censored and closed newspapers for "agitating the public mind." When the Korean War broke out in 1950, President Rhee denounced his opponents as "pro-communists."

Once, when President Rhee worried that the National Assembly would refuse to re-elect him, he stationed troops around the National Assembly building until the representatives inside passed a constitutional amendment providing for the direct election of the president. In July 1952, Rhee resorted to bribery and police intimidation to win re-election. Then he pushed through the National Assembly another constitutional amendment that abolished the two-term limit for president and won a third term in 1956. Rhee defended these undemocratic actions as necessary to maintain a strong government in the face of the ongoing threat posed by communist North Korea.

In 1960, Syngman Rhee, at age 81, was elected president for the fourth time. The

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Korean student protesters hurl rocks at riot police. (Reuters/Bettmann Newsphotos.)

election was so fraudulent that rioting led by university students erupted throughout the country. Finally, after a number of bloody confrontations between the students and the police, President Rhee resigned.

The Dictatorship of Gen. Park

The so-called "Student Revolution" ushered in a period of great political turmoil in South Korea. Hundreds of student protest demonstrations continued. Political leadership was weak and divided. Government corruption ran unchecked. Then, in May 1961, General Park Chung Hee staged a military coup and took control of the government. Gen. Park claimed that South Korea was not ready for democracy. After securing firm command of the election system, Gen. Park ran for and was elected president in October 1963.

Park directed the rewriting of the South Korean Constitution to tighten his grip on the presidency. One of Park's reforms allowed unlimited presidential terms. Another change in the constitution eliminated the direct election of the president by the voters and substituted an electoral college composed of several thousand delegates easily influenced by the government in power. In addition, the Park constitution granted the president the "power to take necessary emergency measures in...internal affairs, foreign affairs, national defense, economic, financial and judicial affairs." Park's constitution also empowered the president to "temporarily suspend the freedom and rights of the people...."

To ensure that his constitutional reforms would be adopted, President Park declared martial law just before a nationwide vote on his proposed new constitution. The National Assembly was abolished, universities were closed, the press was censored and opposition to the proposed constitution was prohibited. Not surprisingly, 91% of the voters approved Park's new constitution in November 1972. Park himself was re-elected president without opposition by the new electoral college one month later.

After becoming the master of South Korea's government, Park turned his attention to economic matters. Under his direction, South Korea began to change from a backward agricultural society to an industrialized and urbanized nation fully participating in international trade.

While the standard of living and education level of many South Koreans improved, the political system remained frozen. South Korea was ruled by one strong man: President Park. No criticism of his government was permitted. The press was censored. Student protests were harshly suppressed. Park's political opponents were imprisoned. One opposition leader, Kim Dae Jung, was even kidnapped by South Korean police. Despite its American-based constitution, South Korea had become a dictatorship.

Finally, major anti-Park riots broke out in 1979. Park ordered his troops to establish order but seemed unsure about what to do next. On October 26, one of Park's trusted aides assassinated him after an argument over what to do about the continuing protests. With this violent act the 18-year regime of Park Chung Hee ended.

Constitutional Crisis Today

In May 1980, a few months after Park's assassination, another general led a military coup to assert control over the South Korean government. Gen. Chun Doo Hwan established his authority by arresting a number of political leaders including the popular Kim Dae Jung. These moves by Gen. Chun set off more rioting and protests throughout the country. In Kwangju, students and workers overwhelmed police and took control of the city. Gen. Chun sent in the army, and over 200 people were shot to death. This "Kwangju massacre" marked the beginning of a new dictatorship in South Korea.

President Chun has tolerated little opposition to his rule. Kim Dae Jung, South Korea's best-known critic of the Chun regime, was court martialed and sent to prison in 1980 for supposedly inciting the Kwangju riots. Since 1980, hundreds of students, workers, farmers and religious leaders have been arrested and jailed for openly protesting President Chun's rule. Hundreds of journalists have lost their jobs for writing articles criticizing Chun's government.

In 1985, Amnesty International as well as the United States government condemned the use of torture by South Korean police. Reports persist that electric shocks, beatings, starvation and sleep deprivation are routine in South Korea's jails.

Starting in 1985, the political protests in South Korea began to focus on the method for choosing the next president. President Chun, who claims he will not run in 1987, wants South Korea's next president to be selected by the electoral college. It is heavily influenced by the military. A growing number of South Koreans, some say a clear majority, demand that the constitution be changed to allow for the direct election of the president by the people.

In March 1986, a mammoth anti-government rally took place in Kwangju on the anniversary of the 1980 massacre. The rally was called to promote a petition drive to amend the constitution allowing for the direct election of the president in 1987. Opposition leader Kim Dae Jung was barred from the rally by the police. Another opponent of President Chun told the crowd: "A battle between justice and evil has begun. The march for democracy cannot be and must not be stopped...."

Throughout 1986, the anti-Chun demonstrations took on an increasingly anti-American tone. U.S. cultural centers were fire bombed, and American government and business facilities were occupied by radical students. The students were bitter because the U.S. has generally supported President Chun's regime. Bitterness turned to rage when U.S. Secretary of State George Schultz praised Chun by saying that "the institutions of democracy are taking shape in South Korea."

Sensing that he was losing control, President Chun attempted to negotiate a political settlement with Kim Dae Jung and the other opposition leaders during the summer of 1986. President Chun proposed to change the constitution to allow the National Assembly to elect a new national leader in 1987. Kim stood fast in demanding that the electoral college system be replaced by the direct election of the president. Kim finally offered to pull out of the presidential election if Chun agreed to allow a direct vote by the people. By early 1987, the negotiations had stalled, provoking an increase in anti-government and anti-American protests.

For Discussion and Writing

1. South Korea has used three different methods to elect its presidents since 1948. What were these methods? What method do South Koreans seem to favor in electing their next president in 1987?
2. Compare and contrast the Korean Constitution adopted in 1948 with the U.S. Constitution.
3. Article V of the U.S. Constitution describes how our Constitution can be changed. What checks and balances does it contain? Should changing the Constitution be difficult or easy? Why?
4. Assume that President Chun manipulates the South Korean electoral college so that it selects his personal choice as his successor in 1987. If anti-government and anti-American protests then become widespread and continue, should the U.S. stay away from the Summer Olympic Games scheduled to take place in South Korea in 1988? Why or why not?

A C T I V I T Y

The statements by South Korean President Chun Doo Hwan and opposition leader Kim Dae Jung quoted below have been excerpted from recent interviews. Read each statement and answer the questions that follow. Your teacher may want you to do this in writing or in a small discussion group.

President Chun Doo Hwan

"The threat of war is real. The north's 'seven-day-war concept' is backed by [about 880,000] regular forces as well as 10,000 special forces. The North Koreans have stockpiled 250 tons of Soviet-type toxic-gas warheads which can be fired by multiple rocket launchers or artillery. North Korea has received 26 MiG-23s from the Soviet Union, and that number is expected to increase to 50 in a short time. North Korea has completed two additional airstrips near the DMZ. No country in the world maintains such a large number of special forces capable of sabotage warfare. North Korea has a significant

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The Philippines: Democracy Still In Doubt

"We are finally free!"
—Corazon Aquino,
President of the Philippines

Filipinos rejoiced in 1898 when the United States declared war on Spain and quickly destroyed the Spanish fleet in Manila Harbor. The Philippine people believed that they were free after nearly 400 years of Spanish colonial rule. The Americans had other ideas.

Refusing to submit to a new colonial master, Filipino rebels fought a guerilla war against the U.S. for two years. Once the rebels were suppressed, the U.S. adopted a policy of slowly preparing the Filipinos for American-style democracy. While the Americans built schools and improved public health, they did little to change the old Spanish economic system. Most of the land stayed in the hands of a relatively small number of wealthy families. Moreover, these large landowners preferred to grow profitable export crops like sugar cane, coconuts and tobacco rather than food for the Filipino people. The majority of Filipinos either worked as poor laborers or became tenant farmers always in debt to the wealthy landowners.

The Philippine Constitution was written in 1935 by about 200 Filipinos from all walks of life. This constitution reflected many American legal principles. It provided for a three-branch government, including a president with strong executive powers, a one-house national Congress (later changed to two houses) and a Supreme Court. A bill of rights very similar to that of the United States appeared almost at the beginning of the document.

In 1935, under the provisions of the new constitution, Filipinos voted for a president, elected a Congress and took control of most government operations. The people of the Philippines looked forward to 1946, when they would fully secure their complete independence. The Japanese invasion of the islands interrupted the dream of freedom.

After the Japanese surrendered in 1945, the Filipinos were determined not to delay their independence day. Elections were held early in 1946. Then, on July 4, amid the ruins of war, the United States proclaimed the Republic of the Philippines to be a free and independent nation.

The Marcos Regime

The young Philippine democracy faced many problems after World War II. The war had devastated the country. People were homeless and out of work. In the countryside most Filipinos still suffered under the old colonial economic system dominated by a small number of rich landowners. A communist-led rebellion of 10,000 landless farmers soon erupted, and civil war threatened.

Ferdinand Marcos. (Reuters/Bettmann Newsphotos.)

Little progress was made against these problems until Ramon Magsaysay became president in 1953. Magsaysay fought against corruption in government, encouraged the formation of labor unions and began to redistribute land purchased by the government to poor farmers. This last move effectively undermined the communist farmer rebellion. Unfortunately, in 1957 these reforms abruptly ended when Magsaysay died in a plane crash.

After Magsaysay's death the living conditions of most Filipinos worsened. Then, in 1965, Filipinos elected a new reform-minded leader: Ferdinand Marcos. Early in his life Marcos was taught by his father to win. While in school, Marcos excelled in academics and athletics. He graduated first in his law school class and soon became a trial lawyer. He married Imelda Romualdez, a former beauty queen and member of one of the country's wealthiest families. Marcos first won election to the Philippine Congress in 1949. When his party refused to nominate him for president in 1961, Marcos joined the opposition party which supported his successful campaign for president.

At first, Marcos showed great promise as a democratic reformer. In 1969, the popular Marcos became the first Philippine president to win re-election.

Marcos' second term was not as successful as his first. When he supported the U.S. war effort in Vietnam, Filipino students demonstrated against him in the streets of Manila. Labor strikes broke out as wages for most city workers remained low. When Marcos backed away from distributing land to poor farmers, a new communist-led revolt rekindled fighting in rural areas.

As his second term neared an end in 1972 amid growing national unrest, Marcos used an emergency provision in the Philippine Constitution to declare martial law. This shocking move by Marcos was triggered by an unsuccessful assassination attempt on his defense minister and close friend, Juan Ponce Enrile. Thousands of journalists, labor leaders and opposition politicians were arrested. The Congress building was locked and guarded. Schools were temporarily closed. The government took control of newspapers and television and radio stations. Public demonstrations were banned. Military courts tried civilians who had been arrested. In his "General Order No. 3" Marcos removed court authority to judge whether any of his martial law orders were illegal.

Most observers agreed that Marcos' real motive for declaring martial law was tied to a provision of the constitution that limited the Philippine president to just two terms. The suspension of the constitution meant the continuation of Marcos in power beyond the end of his second term.

When Marcos announced martial law in 1972, a convention organized to revise the constitution was already in session. Up to that time political opponents of Marcos had successfully blocked his attempts to change the constitution so that he could run again for president. With martial law in effect, Marcos simply arrested his opponents and replaced them with his own supporters. Marcos soon had a constitution to his liking, but even this constitution would not take effect until Marcos decided the time was right. In the meantime, martial law continued.

Soon Marcos announced his "New Society" program supposedly to help the poor and unemployed. Indeed, increased foreign investment seemed to be stimulating economic growth in the Philippines. But most of this new economic activity benefited Marcos' wealthy friends and relatives. Thousands of landless farmers still suffered in poverty, while wages and living conditions worsened.

Filipino Catholic Church leaders began to openly criticize President Marcos. Cardinal Jaime Sin, Archbishop of Manila, stated in 1976: "I am afraid of the future....The security of the country is based on the constitution. The constitution should be above the president. At the moment he controls the constitution." These comments had a profound effect on the Filipino people, who are 85% Roman Catholic.

Finally, in 1981, Marcos ended martial law, but under the new constitution that then went into effect Marcos was still able to run things as he liked. Elections were held but were rigged in Marcos' favor. Corruption was widespread. Marcos himself reportedly diverted millions of dollars of public funds

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into his own bank accounts. At the same time unemployment, poverty and hunger ravaged the Filipino people. The rebellion of landless farmers claimed thousands of lives.

The "People Power" Revolution

Senator Benigno Aquino had been one of the first political opponents of Marcos to suffer arrest under martial law. After being imprisoned for over seven years, Aquino and his wife were permitted to leave the country to seek medical attention for his heart condition in the United States. After three years in the U.S., Aquino decided to return home in 1983 to lead the opposition against Marcos. As he disembarked from the airliner that had returned him to the Philippines, assassins' bullets cut him down.

Marcos blamed the communists for Aquino's death. Yet evidence soon pointed to a conspiracy among a group of military men led by Marcos' chief of staff, Gen. Fabian Ver. In a trial controlled by Marcos, Gen. Ver and the others were found innocent.

Things now began to unravel very quickly for the Marcos regime. Massive protest demonstrations erupted in the streets of Manila. Frightened foreign investors withdrew vast sums of capital from the country's economy. Unemployment surged. Seventy percent of the Filipino people lived in poverty. Catholic Church leaders continued to criticize Marcos' dictatorial rule. Even well-off businessmen who had long supported Marcos now turned against him. Ferdinand Marcos, at age 68 and in poor health, found himself isolated in his presidential palace surrounded by troops protecting him from his own people.

To stem the tide, in November 1985, Marcos suddenly announced a special presidential election. He calculated that with Benigno Aquino dead no other rival politician had enough support to seriously challenge him.

Corazon ("Cory") Aquino, the wife of Benigno, was the daughter of a wealthy sugar baron. She grew up living a protected life and attending Catholic girls' schools. Cory had little political background other than what she had experienced with her husband. Yet many Filipinos now turned to Cory to run for president. After much soul-searching, she decided to run.

During the election campaign, Cory Aquino vowed to restore the constitutional democracy ignored for so long by Marcos. When Marcos ridiculed Cory for not having the political experience to become president, she responded: "I concede that I cannot match Mr. Marcos when it comes to experience in cheating, stealing, lying or assassinating political opponents."

The election itself was closely watched by the world press. President Reagan also sent 20 official observers to monitor the election. What they witnessed was a typical Marcos-run election. Marcos' supporters bought votes, stole voter registration lists and attacked those trying to protect ballot boxes. It soon became obvious that thousands of ballots cast for Cory Aquino had been stolen or were simply ignored during the vote count. Amid this chaos and with a disputable margin, Marcos proclaimed himself the winner.

For a while it appeared that Marcos would outlast the storm of opposition that followed. Then a remarkable series of events occurred. On February 22, 1986, Marcos' long-time friend and defense minister, Juan Ponce Enrile, resigned and announced his support for Cory Aquino. Enrile was soon joined by Lt. Col. Fidel Ramos, another Marcos supporter. Enrile and Ramos, together with several hundred troops, held a fortified military camp in Manila.

Marcos' chief of staff, Gen. Ver, wanted to destroy the rebels, but Marcos hesitated. Meanwhile, Cardinal Sin called for the people of Manila to help protect the rebel soldiers. Thousands of Filipinos massed around the rebel camp, forming a human wall that blocked Gen. Ver's troops.

After the Reagan administration advised Marcos to leave the country, he decided to step down. Soon, aboard a U.S military aircraft, he flew to Hawaii.

Incredibly, not guns and bloodshed but "people power" had forced Ferdinand Marcos to abandon his 20-year rule of the Philippines. After Marcos had fled, Cory Aquino went on television and proclaimed, "We are finally free!"

A New Chance for Democracy

After announcing that she was "taking power in the name of the people," Cory Aquino began to assemble a new government that included Marcos' one-time defense minister, Juan Enrile. Aquino ordered the release of many political prisoners jailed by Marcos. She also removed thousands of civilian officials and military officers he had appointed. The new president pledged to try to negotiate a settlement with the communist New People's Army that had been leading the landless farmers' revolt for 18 years. Finally, Aquino decided to suspend the Marcos constitution and write a new one.

The new constitution provided for a single six-year presidential term, supported land reform, made education a top priority, ended capital punishment, opposed abortion and prohibited nuclear weapons on Philippine soil. A key provision called for the people to approve any future agreement with the United States over the lease of air and naval bases in the Philippines. The preamble is probably the only one in the world that mentions the word "love." President Aquino announced a national election to approve the new constitution to take place in February 1987.

By the end of 1986, Cory Aquino's government faced severe problems. Gen. Ramos stopped several attempts to overthrow the government by military leaders still loyal to Marcos. Juan Enrile, the other Marcos man who had defected to Aquino, became increasingly critical of her attempts to negotiate with the communist New People's Army. As their differences widened, Aquino fired Enrile. From his new home in Hawaii, Marcos made a prediction: "My belief," he said, "is that without lifting a finger, just sitting here, the government of Madame Aquino will collapse."

As 1987 began, President Aquino launched a campaign to convince the voters to approve the new constitution. She believed that a large turnout in favor of the constitution would also signal a vote of confidence in her leadership. A tragedy intervened.

On January 22, over 10,000 poor farmers, including some New People's Army members, marched toward the presidential palace to protest the lack of progress on land reform. Without warning, soldiers opened fire on the protesters, killing nearly 20. Leaders of the protest blamed Aquino for refusing to hear their grievances despite attempts on their part to arrange a meeting. Aquino replied that she was shocked and saddened by the violence and promised to

A sea of demonstrators protest the Marcos regime's continuance of martial law. (Reuters/Bettmann Newsphotos.)

appoint a committee to investigate the incident.

A few days later, just hours before the election on the new constitution, several hundred soldiers and officers loyal to Marcos staged yet another attempt to take over the government. The rebels seized a Manila television station and claimed they were trying to save the Philippines "from the clutches of the influence of communism." Apparently the rebel soldiers hoped to hold on until Marcos returned. Marcos evidently had the same idea but was prevented from leaving Hawaii by U.S. government officials. The coup failed.

Before a rally of 200,000 supporters, Cory Aquino promised to overcome the plots of both the military and the communists. On February 2, election day, 90% of the voters turned out. In a landslide vote of confidence for President Aquino, 75% of those who voted approved her new constitution. The press called the election a victory for the moderate majority, "a second people power revolution."

While Filipinos overwhelmingly voted to support the new constitution, large numbers of men in the military voted against it. The communist New People's Army has announced a resumption of the guerilla war against the government. Poverty, joblessness and hunger still plague large numbers of Filipinos. Ferdinand Marcos is still lurking in Hawaii. The fate of democracy in the Philippines is still in doubt.

For Discussion and Writing

1. What developments in the long history of the Philippines stopped freedom and democracy from being established?
2. What do you think is the *greatest* threat to democracy in the Philippines today?
   a. the possible return of Marcos
   b. the communist-led farmers' revolt
   c. economic conditions in the country
   d. discontent in the military
   Support your answer with evidence from the article.
3. Re-read the last paragraph in the article. Now write a prediction of what you think will happen in the Philippines in the next few years.

Candidate Cory Aquino casts her vote for President. (Reuters/Bettmann Newsphotos.)

4. Does the U.S. Constitution give the president the power to suspend the Constitution? Should that power be included for use in emergencies? Who would define the emergency? Based on your reading, what are possible dangers of such a provision?

A C T I V I T Y

Many countries do not enjoy the benefits of a democratic constitution or peace or a fair economic system. Some countries, like the Philippines, have to settle for the best possible choice among undesirable ones. Form small groups, study the three different types of countries described below and discuss the questions that follow.

COUNTRY A

1. A democratic constitution is in place with full individual rights protected by an independent court system.
2. A violent communist-led rebellion is occurring in some parts of the country.
3. The economic system benefits mainly the wealthy, with the majority of people suffering from unemployment and poverty.

COUNTRY B

1. No democratic constitution or independent court protects the rights of the people.
2. Peace and order exist with the military and police controlled by an unelected leader.
3. The economic system benefits all the people but is controlled totally by the government.

COUNTRY C

1. No democratic constitution or independent court system protects the rights of the people.
2. The government is vigorously fighting a communist-led rebellion in some parts of the country.
3. The economic system benefits mainly the wealthy with the majority of people suffering from unemployment and poverty.

Debriefing

1. If you had to live in one of these three countries, which one would you pick? Why?
2. Which country comes closest to describing the Philippines under Ferdinand Marcos?
3. Which country comes closest to describing the Philippines under Cory Aquino today?
4. Which country would the communist New People's Army probably choose?
5. Do you want to change your answer to question 1? If so, why?
6. Based on the information contained in all three articles, write a brief essay comparing and contrasting the constitutional experiences of Japan, South Korea and the Philippines. Support your answer with evidence from the articles.

For Further Reading

Iyer, Pico. "Cory, Woman of the Year," *Time* 5, Jan. 1987: 18-31.

Rosenberg, David A., ed. *Marcos and Martial Law in the Philippines*. Ithaca, NY: Cornell University Press, 1979.

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(continued from page 4)

military edge. This imbalance is the core of the Korean security problem." (*Newsweek*, Feb. 10, 1986.)

- What is "the Korean security problem" that President Chun talks about in his statement?
- What connection do you think President Chun makes between "the Korean security problem" and the way he runs the South Korean government?

Kim Dae Jung

"You know, when there was the Korean War thirty years ago, there was democracy — in wartime. We had freedom of speech, local autonomy, direct election of the president, the independence of the National Assembly and the judicial branch. But at peacetime now, we have lost all of those freedoms. In wartime, our people's per-capita income was only $16; now it has soared to $2,000. But we can't enjoy the same freedom we had when it was $16. How can we understand this?" (*The Progressive*, Feb. 1986.)

- What is the main idea of President Chun's statement? What is the main idea in Kim's statement? In what area of South Korean life does Kim admit there has been improvement? What irony does Kim see in South Korea's present political situation?

For Further Reading

Allen, Richard C. *Korea's Syngman Rhee*. Rutland, VT: Charles E. Tuttle Co., 1960.

Cumings, Bruce. "South Korea: Trouble Ahead?" *Current History*. April 1986.

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